

Translation

PATENT COOPERATION TREATY

PCT

Rec'd PCT/PTO 24 JUN 2005

PCT/JP2003/016737



10/540768

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference HT188201	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/JP2003/016737	International filing date (day/month/year) 25 December 2003 (25.12.2003)	Priority date (day/month/year) 25 December 2002 (25.12.2002)
International Patent Classification (IPC) or national classification and IPC H04L 9/08, 12/22, 12/28		
Applicant HITACHI, LTD.		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 3 sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising:
 - a. ☐ (sent to the applicant and to the International Bureau) a total of _____ sheets, as follows:
 - ☐ sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
 - ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
 - b. ☐ (sent to the International Bureau only) a total of _____ (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:

- ☒ Box No. I Basis of the report
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

Date of submission of the demand 20 February 2004 (20.02.2004)	Date of completion of this report 05 November 2004 (05.11.2004)
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2003/016737

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

- ☐ This report is based on translations from the original language into the following language _____, which is language of a translation furnished for the purpose of:
- ☐ international search (under Rules 12.3 and 23.1(b))
 - ☐ publication of the international application (under Rule 12.4)
 - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

- ☒ The international application as originally filed/furnished
- ☐ the description:
- pages _____, as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☐ the claims:
- pages _____, as originally filed/furnished
- pages* _____, as amended (together with any statement) under Article 19
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☐ the drawings:
- pages _____, as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

National application No.

PCT/JP03/16737

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)

Claims

1-7

YES

Claims

NO

Inventive step (IS)

Claims

YES

Claims

1-7

NO

Industrial applicability (IA)

Claims

1-7

YES

Claims

NO

2. Citations and explanations (Rule 70.7)

Document 1: JP, 10-41940, A (TOSHIBA CORPORATION), 13 February 1998 (13.02.98)

Document 2: JP, 2000-332747, A (MITSUBISHI ELECTRIC CORPORATION), 30 November 2000 (30.11.00)

Document 3: JP, 2000-134193, A (FUJITSU LIMITED), 12 May 2000 (12.05.00)

Document 4: JP, 2001-345992, A (MURATA MACHINERY LTD.), 14 December 2001 (14.12.01)

Document 5: JP, 11-338798, A (NTT COMMUNICATIONWARE CORP.), 10 December 1999 (10.12.99)

The subject matter of claims 1-3 and 5-7 does not involve an inventive step on account of document 1 and document 2 cited in the ISR and newly cited document 3.

Using the constitution of an encryption communication means that performs encrypted communication between network devices belonging to a group using a shared encryption key and an IC card that stores the encryption communication information needed for encrypted communication with a network device belonging to the group (as described in paragraph [0015] of document 2) and the constitution of a security strengthening device that manages devices constituting a group based on a shared encryption key (as described in document 3) as the constitution for safe communication between network devices comprising a group information storage means storing group information consisting of a group identifier and the identifiers of terminals constituting that group, a group operation means that sets a local terminal and another terminal as a group and changes the group by adding or deleting terminals constituting a previously set group, and a group operation information control means that rewrites the group information storage means' group information according to group operation information pertaining to setting or changing groups operated by the group operation means (as described in document 1) would be easy for a person skilled in the art.

The subject matter of claim 4 does not involve an inventive step on account of documents 1, 2, 4, and 5 cited in the ISR and newly cited document 3.

Using a constitution that controls access to service by allowing another network device to access a previously determined port (as described in paragraph [0033] of document 4 and paragraph [0013] of document 5) in the network device described in document 1 would be easy for a person skilled in the art.